

Street Vending

SAFETY COMMITTEE UPDATE

JANUARY 5, 2026

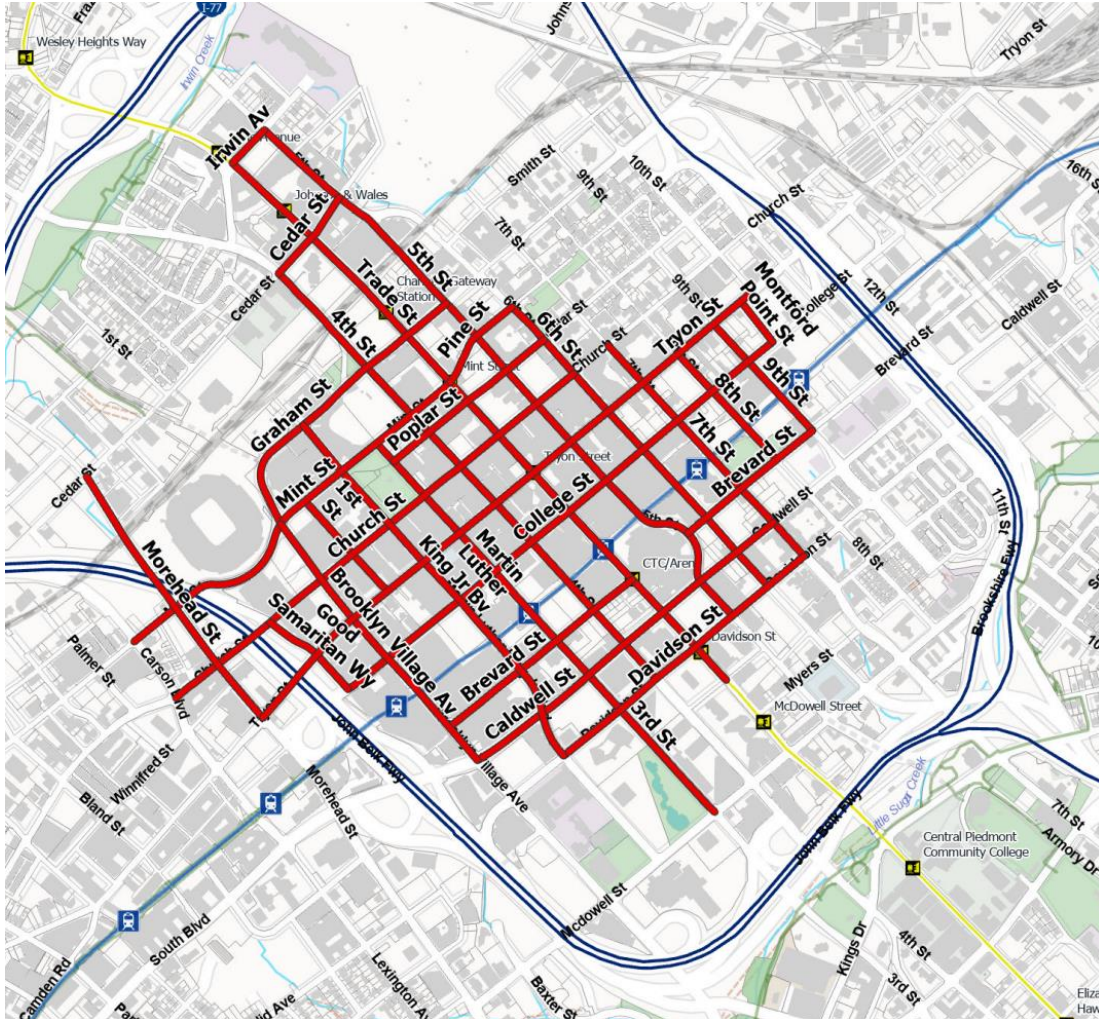


Street Vending Policy Referral Timeline

Background

- ▶ **April 28th**: policy referral by Mayor Lyles
- ▶ **May 5th**: initial discussion with Housing, Safety & Community (HSC) Committee
- ▶ **May 22nd**: public input session
- ▶ **June 2nd**: HSC Committee unanimously approves two policy recommendations
- ▶ **June 9th**: Council Action Review discussion
- ▶ **June 23rd**: Following Council Action Review discussion, Council approves expansion of Congested Business District designation, increases fines within the CBD, and creates the NoDa Vendors Market.
- ▶ **July 30th**: Permit Portal for NoDa Vendor Market Opens
- ▶ **September 1st**: Permitted vendors begin selling in NoDa
- ▶ **February 15th, 2026**: NoDa Vendors Market pilot ends.

Congested Business District (CBD)



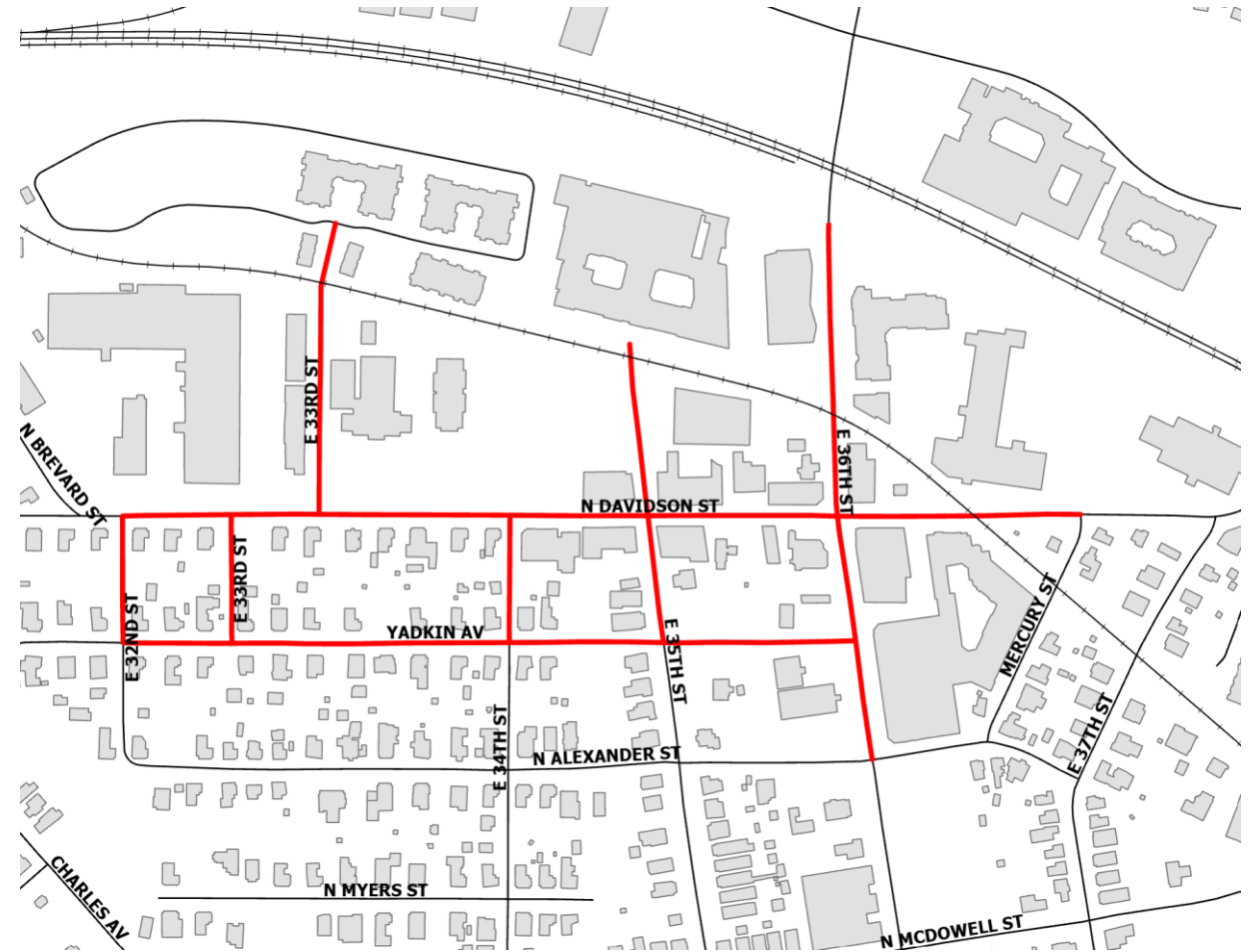
CBD Overview

- ▶ The CBD is established in the ordinance (Article VIII)
- ▶ Prior to the NoDa-related policy action (explained on slide 4), the most recent expansion to the CBD was in 2016
- ▶ The ordinance grants the City Manager authority to amend the CBD (either expand or reduce)
- ▶ The ordinance does not establish criteria to inform CBD expansion/reduction decisions
- ▶ The Tryon Street Mall Vendor program is governed by a separate ordinance (Article X), enabling permitted vendors to legally operate in assigned locations

Policy Actions Approved June 23rd

Ordinance amendments to:

1. Increase fines associated with street vending-related violations to a civil fine/penalty not to exceed \$500
2. Expand the Congested Business District to add certain streets in NoDa (as shown in map at right)
3. Establish a city-administered vendor pilot program in NoDa for a period not to exceed six months



NoDa Permit Program Overview

- ▶ **26 applications to vend in NoDa**
- ▶ **14 vendors currently permitted**
 - Some applicants did not complete paperwork, or did not pick up permit
- ▶ **3 vending locations in City right-of-way**
 - Space for an additional 10-15 vendors on private property through a partnership with the Johnston YMCA
- ▶ **Enforcement coordination with CMPD**
- ▶ **Ongoing education by CDOT staff during the program**



Street Vending Policy Change Successes

- ▶ **Modest perceived reduction in the number of unpermitted (illegal) vendors in Uptown and NoDa**
- ▶ **Fewer confrontations between permitted vendors and unpermitted vendors Uptown**
- ▶ **Less sidewalk congestion in NoDa during peak times**
- ▶ **Less “questionable” merchandise being sold (such as CBD/THC products, prepared food items without Health Department permits, and unlicensed sportswear)**

Street Vending Change Challenges

- ▶ **Continued unpermitted (illegal) vending in Uptown and NoDa**
 - Set-ups during CMPD shift changes
- ▶ **Some unpermitted vendors from Uptown and NoDa have relocated**
 - Growing challenge (and stakeholder concerns) in South End with food vending
 - Other high pedestrian areas have complained about growing vendor presence
- ▶ **Permitted vendor compliance with location and times**
 - The Center City Ambassador program provides a good model of consistent and visible presence
- ▶ **Equity concerns**
 - Brick-and-mortar small businesses (particularly restaurants and retail) are calling for 1) stronger enforcement of existing street vending ordinance requirements in the Congested Business District (CBD), and 2) more regulation of street vending outside of the existing CBD.
 - Brick-and-mortar businesses assert the current playing field is unfair (given the obligations and regulatory requirements they must adhere to, such as rent, property taxes, insurance, and Health Department standards, as applicable).
- ▶ **Staff resources to manage and administer the program**

Street Vending Lessons Learned

- ▶ **CMPD has limited ability for enforcement beyond issuing a citation**
- ▶ **Without consequences beyond the fine, there is little incentive to adhere to the rules**
- ▶ **Civil citations cannot be tracked or escalated unless they are tied to real property, i.e. a car or parcel of land**
 - Officers can only issue the citation to the address on a driver's license
 - May or may not be the correct address
 - Some may not have a license or ID
- ▶ **Permitting system is not mobile friendly and resulted in challenges for some vendors**

Street Vendors: Benchmarking

Leading up to Council's June 2025 policy actions, staff analyzed the street vendor policies across approximately two-dozen large cities across the nation (including five in North Carolina), observing the following insights:

General Street Vending Restrictions

- ▶ Compared to Charlotte, a vast majority of cities included in the analysis have more stringent, city-wide street vending restrictions,
- ▶ Whereas Charlotte allows street vending in most areas other than the Congested Business District, the comparison cities generally allow vending only in certain designation locations

Illegal Street Vending Fines

- ▶ Fines of up to \$500 (for a first offense) appear common
- ▶ Some cities have a criminal penalty option

Policy Consideration #1

► How to handle the conclusion of the NoDa Market Pilot?

- **Staff recommendation**

- Sunset the NoDa Market program at the conclusion of the pilot (February 15th), retaining the designated streets (shown on slide 4) in the CBD designation (i.e., street vending would not be authorized)
- This recommendation does not require a Council policy action (i.e., existing ordinance calls for the pilot program to be no more than six months)

- **Staff rationale**

- Among other considerations, the physical constraints of NoDa's infrastructure (narrow sidewalks and roads) make this location unsuitable for street vending, in contrast to our Tryon Street Mall vendor program where street vending does not obstruct sidewalk passageway or disrupt vehicular sight-lines
- For reference, Raleigh requires street vendors (push carts) to preserve an unobstructed pedestrian sidewalk corridor of five feet

Policy Consideration #2

- ▶ **Whether to expand street vending regulation beyond the existing Congested Business District?**
 - **Option 1: Targeted Expansion of Regulation**
 - Selectively expand the CBD designation to restrict public ROW vending in areas of increased congestion and limited space (e.g., South End)
 - **Option 2: Citywide Expansion of Regulation**
 - Restrict vending in the public ROW citywide
- ▶ **Staff recommendation**
 - Pursue Option 2 (citywide expansion of street vending regulation)
 - Maintain exceptions (i.e., allow street vending) for city authorized programs administered by non-profit partners that manage Municipal Service Districts
 - Continue to allow vending during festivals and other events as currently codified
 - Exceptions for youth vending (Girl Scouts/lemonade stands/fundraisers)
- ▶ **Staff rationale**
 - City-wide regulation of street vending is consistent with the results of our benchmarking review
 - Brick-and-mortar small business equity concerns are valid
 - Allowing vending exceptions within MSDs is a logical way to allow for permitted street vending programming in high density areas

Policy Consideration #3

► Should unpermitted (illegal) street vending in the public ROW have a misdemeanor (Class III) enforcement option?

- **Staff recommendation**

- Establish a criminal penalty enforcement option (working with City Attorney's Office to ensure adherence to state statutory considerations)

- **Staff rationale**

- A stronger enforcement tool – particularly for repeat offenders – would serve as a more effective deterrent, and would be an additional enforcement option for CMPD (officers would still maintain discretion to seek voluntary compliance or issue citation)
- Misdemeanor classification allows for the tracking of repeat offenders and provides CMPD a path to resolve recurring issues beyond issuing citations

Today's Requests for the Safety Committee

► Conclusion of NoDa Market Pilot

- If Committee agrees with staff recommendation, no action is needed by Committee or full Council
- If Committee seeks to continue the city-administered street vending program in NoDa (on a permanent basis), a Committee motion and vote is necessary to advance this policy proposal to full Council

► Expansion of Vending Regulation

- If Committee desires to expand street vending regulation (either to selected areas or city-wide) this will require a motion and vote (today or in the future)
- If Committee does not desire to expand street vending regulation, no further action required

► Establishment of criminal penalty option (vending in the public ROW as a Class III misdemeanor)

- If Committee desires to establish criminal penalty option this will require a motion and vote (today or in the future)
- If Committee does not desire to establish criminal penalty option, no further action required